

Panhandle Pipe Line Companies

An International Energy Company

5444 Westheimer Road
Houston TX 77056-5306

Tel: 713 989 7000

P.O. Box 4967
Houston TX 77210-4967

May 28, 2002

K.D.H.E.

MAY 31 2002

**SOUTHEAST DISTRICT OFFICE
CHANUTE, KANSAS**

By Certified Mail

Victoria O'Brien
Kansas Department of Health & Environment
1500 West 7th Street
Chanute, Kansas 66720

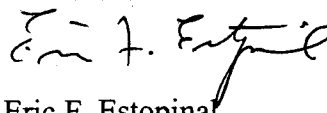
RE: PANHANDLE EASTERN PIPE LINE COMPANY – OLPE STATION

Dear Ms. O'Brien

Panhandle Eastern Pipe Line Company (PEPL) did submit a response to your letter dated April 9, 2002. A copy of the letter with the signed certified receipt is enclosed as Attachment 1.

Should you have any additional questions or comments please call either Victoria Wagner at 713-989-7459 or myself at 713-989-7458.

Sincerely,



Eric F. Estopinal
Manager, Environmental Services

CC: By Certified Mail

John Mitchell, KDHE – Topeka

J. Grube (PEPL Legal)



ATTACHMENT 1

An International Energy Company

5444 Westheimer Road
Houston TX 77056-5306

Tel: 713 989 7000

P.O. Box 4967
Houston TX 77210-4967

April 23, 2002

By Certified Mail

Jon Mitchell
Kansas Department of Health & Environment
Bureau of Waste Management
1000 SW Jackson, Ste. 320
Topeka, KS 66612-1366

JON MITCHELL
KANSAS DHE
BUREAU OF WASTE
MANAGEMENT
1000 SW JACKSON, SUITE 320
TOPEKA, KANSAS 66612-1366

RE: RESPONSE TO COMPLIANCE INSPECTION
OLPE, KS EPA ID# KSD984972737

Dear Mr. Mitchell,

Panhandle Eastern Pipe Line Company (PEPL) is providing the additional written responses to violations cited in Kansas Department of Health & Environment (KDHE) letter dated April 9, 2002.

Violation 1 – KAR.28-31-4(e)(4) – Failure to have placards – to correct this violation, you must provide written notification to this department no later than May 3, 2002, that the applicable placards are available on-site.

PEPL's Response: As stated in PEPL's response dated December 19, 2001, "PEPL has ordered some placards to be kept at the facility." The placards have arrived and are currently at the Olpe facility.

Violation 2 – KAR.28.31.4(d) – Failure to use correct generator name and/or address on nine manifests – This department requires that the generator name and address reflected on hazardous waste manifests be that of the generating facility. To correct this violation, you must provide written notification to this department no later than May 3, 2002, of the actions that will be taken by your company to ensure that the required generator name and address are reflected on all hazardous waste manifests utilized in the future.

PEPL's Response: Based on the December 14, 2001 telephone conference with Ms. O'Brien, the KDHE auditor, the concern is the use of PEPL's Houston Office mailing address on hazardous waste manifests. The generator name and associated EPA identification number is correct on all manifests. A response to this citation was submitted in PEPL's letter dated December 19, 2001.

April 23, 2002

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After receiving KDHE's letter dated April 9, 2002, PEPL further discussed this issue with KDHE representative, Mr. Roger Carman in the Topeka Office. The following response is being prepared based on discussions with Mr. Carman.

KAR 28-31-4 (d) and Appendix to 40 CFR Part 262 do not require the use of the generating facility's physical address. The regulations state the Generator's address on the hazardous waste manifest '**should be the location that will manage the returned Manifest forms.**' As discussed with Mr. Carman, all hazardous waste is tracked, sampled, classified, profiled, scheduled for disposal, and manifested through an electronic database out of the Houston office. The database tracks the dates to ensure completed manifests and certificates of disposal are returned in a timely manner. The database also tracks the receipt of the Land Disposal Restriction. Should a paper work exception occur, PEPL places phone calls to the disposal facility and generates the exception letter out of the Houston office.

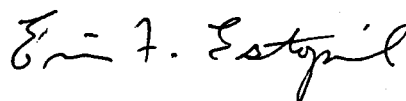
PEPL believes we are in compliance with KAR 28-31-4 (d) and Appendix to 40 CFR Part 262 because we are using the address of the facility (i.e. the Houston office) that is managing the returned Manifest forms.

If this response does not resolve this issue, PEPL requests a meeting with the KDHE to further discuss KDHE's Violation 2.

Summary

PEPL believes we are in compliance with the State and Federal regulations referenced in this letter. Should a meeting need to be arranged or additional information need to be provided, please contact Victoria Wagner at 713-989-7459.

Sincerely,



Eric Estopinal
Manager, Environmental Services

Cc: Victoria O'Brien, Kansas Department of Health & Environment
1500 West Seventh Street
Chanute, KS 66720

J. Grube (PEPL Legal)

EFE/vlw

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7106 4575 1274 2704 2145

TO: JON MITCHELL
KANSAS DHE
BUREAU OF WASTE MANAGEMENT
1000 SW JACKSON, SUITE 320
TOPEKA, KANSAS 66612-1366 ID: 0010

2.10

1.50

SENDER:

Eric Estopinal/c.w

Clerk: KUNC6P

REFERENCE:

response to compliance inspection-
4.17 04/24/02

PS Form 3800, June 2000

RETURN

Postage

2. Article Number



7106 4575 1274 2704 2145

3. Service Type CERTIFIED MAIL

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

JON MITCHELL
KANSAS DHE
BUREAU OF WASTE
MANAGEMENT
1000 SW JACKSON, SUITE 320
TOPEKA, KANSAS 66612-1366

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

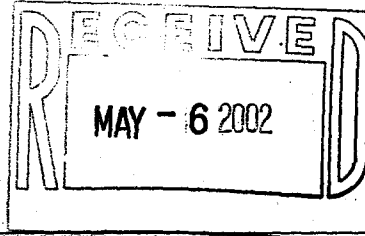
B. Date of Delivery

APR 30 2002

C. Signature

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Agent
☐ Addressee
☐ Yes
☒ No



RE: response to compliance inspection- dpe, k

SENDER:

Eric Estopinal/c.w

PS Form 3811, June 2000

Domestic Return Receipt